

failed to count 1.4 million African-Americans.

I do not think anyone in this country wants an undercount. They want the very best. They want everyone counted. It appears that the only way that can be done is to do sampling. History has proven this undercount, so why should we go back to some of the same flaws that we had in the 1990 census?

It also failed in 1990 to count 2.6 million whites, but the percentage of blacks that was not counted in 1990 was 5.7 percent, more so than with whites. It was much larger than the percentage of whites not counted; 1.3 percent more were not counted during the 1990 census.

Not fully counting African-Americans in the census originated a long time ago with the Constitution. Article 1, section 2 of the Constitution that was ratified in 1788 provided African-Americans as three-fifths of a man. As a result, we were not counted correctly, even back then. But that was changed, so now we do have that corrected, the earlier misconception of the census.

But this is really a debate about political power. We do not want the undercount to happen again. This was repealed in 1868 by the 14th amendment. We must continue now to be sure that this old legacy that was brought to us a long time ago does not repeat itself.

Failing to count certain groups is not limited to blacks. I am appealing to the Congress, to the chairman and to the Members to be sure that the undercount we had in 1970, that we had in 1980, that we had in 1990, will not be repeated in the year 2000. We want everyone counted.

Mr. ROGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. SMITH], the distinguished chairman of the Subcommittee on Immigration and Claims of the Committee on the Judiciary.

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman of the subcommittee for yielding me this time.

Mr. Chairman, I rise in strong support of H.R. 2267, the 1998 Commerce-State-Judiciary appropriations bill. My colleague, the gentleman from Kentucky [Mr. ROGERS] and my colleague, the gentleman from West Virginia [Mr. MOLLOHAN] have worked hard to draft a fair bill, and I commend them for their efforts.

As chairman of the Subcommittee on Immigration and Claims, I would like to highlight just a few of the specific programs which this bill funds within the Immigration and Naturalization Service and which I strongly support.

First, the bill, for the second year, provides funding for 1,000 additional Border Patrol agents for fiscal year 1998 instead of the 500 requested by the President. These new Border Patrol agents are vital to efforts to stem the flow of illegal drugs, aliens, criminals, and terrorists into the United States.

The bill also recognizes that the Border Patrol is not the only key to appre-

hending and removing illegal and criminal aliens. Additional funds need to be applied to interior enforcement: more investigators and special agents to apprehend illegal and criminal aliens, additional funding for the alien removal process, the expansion of detention space to hold aliens waiting to be removed, and additional funding of the special criminal alien removal program designed to remove criminal aliens as soon as they are released from prison.

All of these functions need to be better executed by the INS. I share the hopes of the chairman of the Subcommittee on Commerce, Justice, State, and Judiciary that by providing the INS with these additional funds, as this bill does, there should no longer be any doubt that these programs are top priority matters to Congress and should also be top priority matters to the INS.

The bill also recognizes and responds to the serious problems within INS's naturalization program. The program, known as Citizenship U.S.A., gave citizenship to criminals and aliens who were in deportation proceedings. These results were clearly the result of bad procedures and insecure fingerprint checks.

H.R. 2267 eliminates non-law enforcement entities who formerly were able to take fingerprints. Businesses such as Pookies Parcel and Post and Juanita's Beauty Salon should not be in the business of taking fingerprints used to obtain the most valuable thing the United States could give, that of citizenship.

The bill also requires that criminal checks be completed before naturalization takes place, a procedure too often overlooked in the first years of Citizenship U.S.A. I support this requirement. I also hope that as the naturalization procedures are improved and electronic fingerprint checks are implemented, items which my colleague, the gentleman from Kentucky [Mr. ROGERS] has agreed to fund, that the waiting time for processing naturalization applications is significantly reduced.

Also, the bill funds the Justice Department's audit of past improprieties in Citizenship U.S.A. and its efforts to denaturalize criminal aliens and aliens already in deportation proceedings. I thank my colleagues on the Committee on Appropriations for their great efforts on funding the INS, and I ask my colleagues to support this bill.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

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Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SOLOMON) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2267), making appropriations for the Departments of

Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2266, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-267) on the resolution (H.Res. 242) waiving points of order against the conference report to accompany the bill (H.R. 2267) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 901, AMERICAN LAND SOVEREIGNTY PROTECTION ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-268) on the resolution (H.Res. 243) providing for consideration of the bill (H.R. 901) to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands, which was reported to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore (Mr. SOLOMON). Pursuant to House Resolution 239 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2267.

□ 1815

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House